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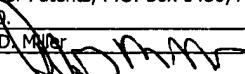
Dkt. No. 65959/58

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Colin John Ingham
Serial No. : 10/593,652
Filed : October 20, 2006
For : DEVICE FOR SENSING OF MOTILE LIVING ORGANISMS
AND USES THEREOF
Art Unit : 1657
Examiner : Kailash C. Srivastava
Customer No. : 1912

COMMUNICATION IN RESPONSE TO APRIL 17, 2009 OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

"Express Mail" mailing label No.	EM 289895586 US
Date of Deposit:	May 1, 2009
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
Name:	Alan D. Miller
Signature:	

Sir:

This Communication is submitted in response to the Office Action issued on April 17, 2009 in connection with the above-identified application. A response to the Office Action is due on May 17, 2009. Accordingly, this Communication is being timely filed.

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Restriction Requirement

In the Office Action, the Examiner required restriction to one of the following four Groups of inventions:

- Group Ia, consisting of Claims 1-39 drawn to device,
- Group Ib, consisting of Claim 40 drawn to a method to produce a device,
- Group II, consisting of Claims 41 and 44, drawn to a method to sense behavior or motility of a living organism in a multiplexed/microarray format,
- Group III, consisting of Claims 42-43 and 45-49, drawn to a method to screen/effector molecules that affect the behavior of a living organism in a multiplexed/microarray format, and
- Group IV, consisting of Claim 54 drawn to kit.

In response to the restriction requirement, applicant hereby elects, without traverse, the invention identified by the Examiner as Group Ia, consisting of Claims 1-39 drawn to a device.

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No fee is deemed necessary in connection with the submission of this Communication. However, if any fee is required to maintain the pendency of the subject application, authorization is hereby given to withdraw the amount of any such fee from Deposit Account No. 01-1785.

Respectfully submitted,

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By 
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Dated: May 1, 2009
New York, New York